



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,525	12/28/2001	Rajasekhar Pullela	1298/1F986-US2	7823

47394 7590 12/23/2004

HITT GAINES, PC
LUCENT TECHNOLOGIES INC.
PO BOX 832570
RICHARDSON, TX 75083

EXAMINER

LE, DINH THANH

ART UNIT	PAPER NUMBER
----------	--------------

2816

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,525

Applicant(s)

PULLELA ET AL.

Examiner

DINH T. LE

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 27 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-8,14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) 3-5 and 9-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

Art Unit: 2816

FINAL REJECTION

Response to Applicant's Amendment

The rejection under 35 USC 112, second paragraph, is withdrawn in view of the amendments to the claims.

The rejection over Benedict et al (US 4,276,488) is withdrawn in view of the amendments to the claims.

Claim Rejections

Claims 14-16 and 18-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claim 14, the description of the present invention is incomplete because the first stage is not connected to the second stage. Thus, the claimed latch circuit may not perform the recited function.

The remaining claims are dependent from the above claims and therefore also considered indefinite.

Claim Rejections - 35 USC ' 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless B

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 6, 7 and 20 are rejected under 35 USC 102 (e) as being anticipated by Pullela (US 6,297,706).

Art Unit: 2816

Pullela discloses in Figures 2-3 a circuit comprising:

- a clock trans-admittance stage circuit (22) for receiving a voltage and producing a current output; wherein the transistors (Q1, Q2) of the circuit (22) are clocked by the signals (32a, 32b);
- an active load (24) connected to receive the input current and produce a voltage output that receives by the trans-admittance circuit (22); and
- wherein the load (24) is a trans-impedance stage circuit and coupled to VCC, see Figure 3.

With regard to claim 7, the additional output current is read on the currents (Ia, Ib) in Figure 3 of Pullela.

Claim Rejections - 35 USC 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 14 and 18 are rejected under 35 USC 103 (a) as being unpatentable over Pullela (US 6,297,706).

Pullela discloses in Figures 2-3 a circuit comprising all of the limitation of the claimed invention as discussed above but does not disclose a second combined stage of trans-admittance and trans-impedance as claimed in claim 14. However, a skilled artisan realizes that the oscillating frequency of the oscillator circuit of Pullela is determined by a number of the combined stages (22, 24). Thus, adding another combined stage (22, 24) for the purpose of increasing the oscillating frequency is considered to be a matter of design expedient for an

Art Unit: 2816

engineer depending upon a particular environment or the application in which the circuit of Pullela is to be used. It would have been obvious to a person having skill in the art at the time the invention was made to add another combined stage (22, 24) in the circuit of Pullela for the purpose of increasing the oscillating frequency.

With regard to claim 18, the collectors of the transistors (Q1, Q2) are not connected to a common point.

Allowable Subject Matter

Claims 3-5, 9-13, 15-16 and 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The claims are allowed because the prior art of record does not show:

- a first pair of transistors including a first transistor and a second transistor, the first and second transistors each having a base, an emitter, and a collector; a current source connected to the emitter of each of said first and second transistors; a second pair of transistors including a third transistor and a fourth transistor, each of said third and fourth transistors having a base, an emitter, and a collector; and the emitter of each of said third and fourth transistors being connected to the collector of said first transistor; and a third pair of transistors including a fifth transistor and a sixth transistor, each of said fifth and sixth transistors having a base, an emitter, and a collector; and the emitter of each of said fifth and sixth transistors being connected to the collector of said second transistor;
- at least two latch pairs including a first latch pair and a last latch pair, each latch pair

Art Unit: 2816

having two trans-admittance and trans-impedance stages, the two trans-admittance and trans-impedance stages of each latch pair being clocked on opposite phases of a clock signal; or

- said first and said second combined stage are clocked on opposite phases of a clock signal.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

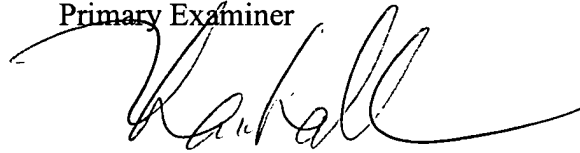
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dinh Le whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M. to 5:00 P.M..

Art Unit: 2816

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

DINH LE
Primary Examiner

A handwritten signature in black ink, appearing to read 'Dinh Le', written over the printed name and title.